CORRESPONDENCE

All communications relating to news and editorial matter should be addressed to the Editorial Department.

BUSINESS LETTERS. All business letters and remittances should be addressed to The See Publishing Company, Omaha. Brafts, checks and postoffice orders to be made payable to the order of the com-pany.

The Bee Publishing Company, Proprietors, The Ree E'ld'g, Farnam and Seventeenth Sts EWORN STATEMENT OF CIRCULATION

Etate of Nebraska.
County of Douglas.
County of Douglas.
George R. Tzschuck, secretary of The Bea
Publishing company, does solemnly swear
that the actual circulation of The DAILY BEB
for the week ending Dec. 20, 1899, was as foi-

 lows:
 31.015

 Funday, Dec. 14.
 32.667

 Monday, Dec. 15.
 22.667

 Tuesday, Pec. 18.
 22.669

 Wednesday, Dec. 17.
 32.028

 Thursday, Dec. 18.
 22.642

 Friday, Dec. 18.
 22.642

 Saturday, Dec. 20.
 23.208

Fworn to before me and subscribed in my presence this 20th day of December, A. D., 1890 [SEAL.] N. P. FEIL, Notary Public.

Ftate of Nebraska, County of Douglas, ss. County of Douglas. 185.

George B. Tzschuck, being duly sworn, deposes and says that he is secretary of The Bee Publishing Company, that the secretary of The Bee Publishing Company, that the secual average duly circulation of The Datty Bee for the month of December, 1880, was 20,038 copies; for January, 1890, 19,53 copies; for February, 1890, 19,56 confest for March, 1800, 20,815 confest for March, 1800, 20,62 copies; for May, 1800, 20,62 copies; for July, 1800, 20,62 copies; for Auxust, 189, 20,53 copies; for July, 1800, 20,62 copies; for Auxust, 180, 20,55 copies; for September, 1800, 20,80 copies; for October, 1800, 20,62 copies; for November, 1800, 22,130 copies.

George B. Tzschuck, Sworn to before me, and subscribed in my presence, this 6th day of December, A. D., 1801, N. P. Fett, Notary Public.

CONGRESSMAN JERRY SIMPSON will not hang up his socks tonight. He doesn't wear any.

THE movements of Slow Bull might be accelerated by holding out an extra large ration of beef scolloped with bayo-

THE profession of train robbing has seen its best days in the south. An attempted revival in Mississippi recently was a disastrous failure.

THE harvester trust is one of those benevolent combines which generously sow promises and reap an abundant crop of cash or the equivalent.

THE gradual contraction of the military circle around the hostiles foreshadows a fresh crop of ghost dancers or an unconditional surrender.

Now that the president has filled the supreme bench vacancy, the attention of the country will be riveted on the forthtoming member of the interstate railway commission.

AN INTELLIGENT French jury promptly rejected the theory of hypnotism as a defense for murder. The old Insanity dodge with variations is good enough for this age.

TOM MAJORS stoutly insists that his Christmas present may be a little late in arriving this year, but that it will be a thing of beauty when it comes. In his dreams it looks like the chair of state.

A RAINBOW around the sun was observed from points in Massachusetts last week. Superstitious democrats claim that It foretells the election of young Governor Russell to the presidency two years hence.

THE United States is a rich country, with a thrifty bank account, but if it should attempt to do a tenth part of the things that wild reformers are demanding it would go into bankruptey within a twelvemonth.

DANIEL O'CONNELL once declared that a coach and four could be driven through any act of parliament. The new pooling syndicate evidently sees an opening to drive a railroad through the interstate commerce act.

MR. GOULD says he favors "respectable subsidies for steamships," course he does. The Pacific mail line would get a respectable portion of them and Mr. Gould owns a very respectable share of the stock in said line.

Some of the men who voted for Jay Burrows say they did it with the understanding that he would resign. If that is so they were the victims of a transparent humbug. The idea of Burrows voluntarily resigning anything is a piece of extravagant humor.

THE returns show that Hennessey is elected to parliament, but who knows that Hennessey is naturalized, and has Jay Burrows said that he could have his seat? Until these questions are satisfactorily answered let not the Henneseyites celebrate their cheap triumph.

THE canvass of the farmers of the country for an expression of their choice for presidential candidates, undertaken by an eastern newspaper, developed nothing startling. It simply proved that Blaine is the most popular republican and Cleveland the most popular democrat, which everybody knew before.

ATTORNEY GENERAL MILLER WILL continue in the cabinet, Mr. Noble will remain at the head of the interior department, and the great political bombastes, J. S. Clarkson, will once more announce that he would not have accepted the interior department portfolio if it had been tendered on a silver platter.

THE society for political education has favored THE BEE with one of its economic tracts, for which we feel under obligations. Just at present we are getting all the political education we want through the medium of the comedy in three parts which has been on the boards in this city for more than a week trying to amuse and instruct the people at the expense of the state and for the benefit of

WILL THAYER REMAIN GOVERNOR! OMANA, Dec. 23 .- To the Editor of Tun Bes: Under your heading of "Who Will be Governor?" you come to the conclusion in case it shall be found that Mr. Boyd had the highest number of votes and then shall be found by the court to have been ineligible that Thomas Majors, the lieutenant governor-elect, will be governor. This is not so. You do not read section 16 of article 5 of the constitution aright. If it shall be found that Mr. Boyd was incligable then he will never have been de jure governor within the meaning of that section, and Governor Thaver will hold over until a "sure enough" governor is elected and qualified. After quo warranto proceedings shall have determined that Mr. Boyd was ineligible he cannot die as governor, he cannot be impeached as governor, and there will be no failure on his part to qualify, for he never had the right to qualify; he cannot resign for he has no office to resign, nor can he as governor be absent from the state nor have any other disability as governor which will make it that he can be succeeded by a lieu-

tenant governor. Respectfully, JOSEPH H. BLAIR. THE BEE cannot concur in the process of reasoning by which Judge Blair has reached the conclusion that Governor Thayer will hold over in case the courts decide that Mr. Boyd is ineligible. The course of procedure by which Boyd would become governor de facto would necessarily take Governor Thayer out of the executive chair and no constitutional lawyer would contend that Thaver under any circumstances could resume the office he has once vacated, unless indeed the people shall elect him for another

term. Let us assume that the legislature carries out the mandate of the constitution, which requires that immediately after the organization of the house and before proceeding to other business the speaker shall open and publish the returns for state officers before the joint convention of the two houses, and in their presence declare the person having the highest number of votes duly elected. Unless the secretary of state's footings are found grossly incorrect the officers declared elected by the speaker will be James E. Boyd, governor; Thomas Majors, lieutenant governor, and Benton, Humphrey, Hill, Allen, Hastings and Goudy. All these persons, whether their sents are contested or not, will, after the speaker has officially declared that they received the highest number of votes, be in position to qualify for their respective offices.

The points raised by the contest cannot come before the joint convention assembled as witnesses to the publication of the returns. The hearing of the testimony in the contest and its final determination is under our constitution an entirely different proceeding, for which a day is set later on in the session.

Now, suppose Boyd has been declared

duly elected, and has qualified by taking the oath of office, does he not become de facto governor, and is not Governor Thayer at once divested of his rank and authority of governor? Does the constitution contemplate that Governor Thayer shall ever resume the powers vested in him as governor in case the courts should find Boyd ineligible? Would not such a decision by the court create a vacancy which, under section 16 of the constitution, is to be filled by asserts that if it shall be found that Mr. Boyd was ineligible, then he will never ing that awful episode, but it casts no have been de jure governor within the meaning of that section, and then Governor Thayer will hold over until "there is a sure enough" governor elected and qualified. How can a man hold over in an office which he has once vacated, and for what object would section 16 be in the constitution, which does away with special elections of governor entirely and imposes the succession upon the lieutenant governor? Suppose Governor Thaver should die or leave the state between the time Boyd assumed the office and the court rendered its decision. There would be no dead governor and no absent governor, and yet when Boyd was removed by the court there would be a place for somebody to fill at once, for there can be no intercegnum under our form of government. The constitution has made the lieutenant governor the successor in case of any disability, whether physical or legal, and the disqualification of Boyd would at once promote the lieutenant governor to the governorship. __

MONEY EAST AND WEST.

A fool, the adage says, can ask questions that a wise man cannot answer. A demagogue who is trying to bait farm subscribers by favoring all sorts of fiat and wildcat money schemes inquires: "Why cannot citizens of Nebraska borrow, money as those of Massachusetts?"

This particular conundrum does not make a very heavy draft on any man possessed of an average stock of common sense. The principal reasons why money cannot be borrowed as cheaply here as in Massachusetts are that there is not nearly as much money here, in the first place, and, secondly, because confidence n Nebraska valuesis by no means so well established. Massachusetts has the accumulated wealth of three centuries and Nebraska that of less than two generations. Massachusetts is the most densely populated state in the union and Nebraska one of the most sparsely settled. If Nebraska had the same ratio of popuation to the square mile as Massachuset ts its total would be 21,931,110 instead of 1.056.000. And that would mean a vast accumulation of wealth, well-settied real estate values and a low rate of interest to all worthy borrowers. There is therefore no mystery about the fact that at present money is neither so

plenty nor so cheap in Nebraska as it is n Massachusetts. In spite of these facts, however, there s no reason for discouragement in the financial situation of Nebraska if the people do their duty. Western banks and business men have gone through the recent financial strain with great credit. There have been no large failures and the bank reserves have kept up admirably. Confidence must be at the bottom of an easy money market, and confidence in western mortgages has been some what shaken recently. Nebraska has suffered for the short corn crops and long haired men of Kansas, with which it is always associated in the eastern mind. It is no fault of Nebraska's that

Kansas has had successive crop fail-

cranks and the blight of prohibition, but these calamitles have operof ated against the people this state. A partial crop failure in a few western counties and the agitation of the prohibition question have lent color to the opinion that Nebraska did not merit the entire confidence of in-

It rests very largely with our own people to say whether Nebraska shall gain and keep that degree of confidence which is indispensable to a cheap and abundant supply of capital. If the legislature rejects all the wild theories that are submitted to it and enacts only sound legislation, and if the people at large persistently develop and advertise the resources of the state, Nebrasica will soon find itself enjoying the conditions which have filled Massachusetts with large cities, prosperous industries and a surplus of money.

If we cultivate confidence we shall have the blessings that come in its train. If we weaken and destroy confidence we shall find that legislation has no magic balm to heal our wounds.

HENRY M. STANLEY. On the roll of the world's heroes the military conquerers stand first in the popular esteem. To the large majority the men who have opened the paths for the march of civilization, the explorers of continents and wildernesses, have no well-defined position of honor. Yet they may urge a just claim to the first rank among the upbuilders of nations and the benefactors of mankind. The avenues they trace through unknown lands for the progress of the race involves labor, courage and sacrifice quite as great as are demanded of the successful leader of armies, and the results are not less important to the world, often more so, than the achievements of the soldiers whom mankind delight to glerify. There is no higher form of heroism than that which leads men to put oceans between themselves and civilized life and enter regions untraversed save by savage tribes and beasts of prey, and there can be no higher usefulness than that of bringing such regions to the knowledge of the world and opening them to the uses of civilization.

The enlightened world acknowledges Henry M. Stanley to be the greatest of modern explorers, and as such he deserves the henor of mankind no less than the foremost in military renown. The difficulties he overcame, the perils he encountered and the hardships he endured in order to give the world a fuller knowledge of the great African continent, as well as the intelligence he has shown in making available to the nations the results of his observations, give him the highest possible claim to the distinguished consideration that has been shown him in Europe and which he is now receiving from the people of this country. There are persons who would depreciate the service Stanley has performed. Like all greatly successful men, he has detractors. But his fame is secure against the shafts either of envy or malice. It would have been well if that terrible story of the rear guard of that wonderful march through equatorial Africa had never the lieutenant governor? Judge Blair been told, if the tongue of enmity or jealousy could have kept silent regardblemish upon the record of Stanley. The oral and written testimony is strongly on his side, and he has the confidence, bravely earned, of just and fairminded men the world over.

Henry M. Stanley will receive a cordial welcome to Omaha, with which his early experience in journalism was identified, and the personal interest extended to him he will doubtless reciprocate in noting the remarkable progress of this metropolis during the twentythree years since he left it to enter a larger field of usefulness and win lasting fame. Nowhere will he find a heartier desire to show him the honor which his great service to the world merits than in this city, the promise of whose material prosperity he saw and proclaimed nearly a quarter of a century

THERE IS NO DANGER.

The British minister at Washington, who is not in the habit of talking freely to the newspaper representatives, has been induced to depart from his rule of silence by the recent reports that there was danger of a serious disturbance of the friendly relations between the United States and Great Britain because of the differences in regard to the Behring sea matter. The minister discredits the reports as wholly sensational and says that both countries, while differing on the facts bearing on the question, have a common object which seems eminently susceptible of submission to arbitration. In the opinion of the minister the Behring sea controversy is far less grave than the Alabama claims case was, which was submitted to arbitration without friction. In the reference to this subject in his annual message the president said that the offer to submit the question to arbitration, as proposed by the British government, had not been accepted for the reason that the form of submission proposed was not thought to be calculated to assure a conclusion satisfactory to either party. It has not since transpired that there has been any intimation from the British government of a disposition to modify its proposal.

It has very recently been stated that President Harrison intended to call the attention of congress to the gravity of the Behring sea situation, for the purpose of placing upon that body the responsibility of maintaining or abandoning the American position in regard to the protection of the seai. It is more than probable that the president will pursue this course, and it is certainly advisable that he should do so if the situation is really grave. It would be very natural that the administration should feel indisposed to insist upon a policy that might lead to serious consequences without being assured that its action would be approved and sustained by the representatives of the people. There are some who contend that in the latest negotiations regarding this question the United States government has been placed somewhat at a disadvantage; that its claims or as-

sumptions have not been sustained by

ures, together with a surplus of the testimony of its own officials. The fact is, however that there has been nothing to militate against the government's essential claim to jurisdiction, and it would be eminently proper for the president to ask congress to determine whether the government shall continue to insist, at whatever hazard, upon this claim, or submit the issue to arbitration as proposed by the British government. The present administration has unquestionably done all that was possible in the way of negotiation, and unless the British government should propose a modified form of arbitration that would be acceptable, the advice of congress ought to be asked regarding the future course to be pursued.

The right of this government to prevent the killing of seal in the open sea was affirmed by congress four years ago, and since then numerous seizures have been made of vessels found violating this right. The British government contends that this claim contravenes international law and submits as its ultimatum that the alleged right of Canadians to kill seal in the open sea, and at all times, shall be submitted to arbitration under the rules of international law. Thus encouraged, depredations on the seal fisheries are increasing from year to year, and according to trustworthy opinion it is only aquestion of a short time, if this sort of thing is allowed to continue, when the seal will be exterminated and an industry valuable to this country destroyed. There may not be any serious danger in the situation, so far as the friendly relations of the two countries are concerned, but it is evident that the United States cannot or should not permit the destruction of the seal fisheries, and that it is necessary that a settlement of the issue be reached as soon as possible. If the administration feels that it has gone as far as it can go in the matter of negotiation it is time for congress to decide what further action shall be taken.

PUT ON THE BRAKES.

The development of rapid transit in Omaha in the last few years naturally increased the dangers to life and limb. Accidents were inevitable. Patrons of the trains hardly realized the banishment of mule power and recklessly exposed themselves in jumping on and off moving trains. But the greatest peril is the disposition of motormen to speed their trains to the limit and take advantage of street grades for a wild dash of speed. The innumerable hills on the streets traversed by the motors afford

opportunities for reckless handling of trains, and even when crowded during the morning, noon and evening hours, it is not uncommon to see trains running at a twenty-mile gait, endangering not only the lives of the occupants but people at street crossings.

The great increase in travel, coupled with the steady growth in population, demands increased vigilance on the part of the street railway management. It is impossible, of course, to avert accidents resulting from the carelessness of passengers, but it is possible to compel motormen and conductors to exercise greater care in the handling of trains in the crowded sections of the city, and allow passengers ample time to alight from and board trains.

It is imperative, that motor trains be equipped with double brakes as effectively as the cable trains. It is to the interest of the company to provide every safeguard and avoid costly damage suits. It is due the public that adequate appliances for checking the speed of trains and guaranteeing security, be provided by every common carrier. These improvements, with careful, reliable operatives, would largely diminish public fears and save the company from the consequence of its negligence.

OMAHA will entertain Henry M. Stanley, her great African explorer, on Christmas day. Now, if we had General Greely, the man who climbed nearest to the top of the north pole, George Francis Train, who made the fastest tour around the world, and Buffalo Bill, who hobnobbed with the Prince of Wales, entertained Queen Victoria and drove around the Coliseum with King Humbert, we would, in the language of P. T. Barnum, have the greatest combination on earth. Stanley lived here 23 years ago. Citizen Train made Omaha his home just a year before Stanley lived among us, and Greely was the Omaha signal officer in 1871-72. And Colonel Cody, the most perfect personator of the chivalry of the plains, is almost a native of Omaha and bought his Mexican spurs in an Omaha hardware store.

If there is to be any charter reform the offices of street commissioner and sidewalk inspector should be abolished. The city engineer and board of public works should of right control all improvements and repairs. The work done by the street commissioner can readily be done under the supervision of the board, either by contract or otherwise. The office is a sinecure during the winter months and a source of waste and extravagance during the balance of the year. Sidewalks should be made a part of our paving system. The so-called inspection, as now conducted, is a farce and a fraud on the taxpayers. There has been no inspection for years in the very heart of the city, and dangerous man traps prevail under the very nose of the inspector.

ENTERPRISE and liberality deserve official encouragement. The city should not permit a penunious property owner to menace a progressive neighbor by erecting frame shells adjoining brick blocks. The extension of the fire limits will secure this desirable end, and the council should promptly apply it.

THE financial stringency is playing havec with the royal prerogatives of third-rate kings. The throne of Dom Pedro netted \$400 under the hammer, while King Kalakaua's thrown on the resources of the porters.

THE retiring council cannot perform s greater service to the city than by checking the spread of frame fire traps. Extend the fire limits.

THE registration law should be made a part of the charter for metropolitan cities, and the law should be framed to

most the known defects of the present FROM THE STATE CAPITAL. system. A general registrar sitting all the year round, with his books open to inspection, would be a great improvement and result in the saving of thousands of dollars every year. Such a system now prevails in San Francisco

and several other large cities.

OMAHA is large enough for two or three police magistrates and a criminal court that will have jurisdiction of crimes that occur most frequently and now take up most of the time of the district court.

Boston gives every promise of taking the palm as the headquarters of wildcat corporations and bunco steerers.

THE new justice of the supreme court has at last been born, and his name is plain Mr. Brown.

A Fine Opening for Our John. Kansas City Globe.

Comes Very Handy. Chicago News. The orthography may be questioned, but

an X is generally necessary to make a satisfactory Xmas.

The Genuine Article. Minneapolis Tribune. Senatorial courtesy is defined [as the spirit of accommodation that allows one senator to ask another how many cards he took on the "draw."

His Boot, of Course.

Chicago Tribune, There is a prevailent curiosity to know what Congressman-elect Jerry Simpson of Kansas will hang up at the foot of his bed next Wednesday night.

The Double-Decker's Vaporings. Slour City Journal The Omaha World-Herald denounces the

ing Bull. It couldn't very well put the blame on the McKinley bill. Stanford's Financial Lunacy. St. Louis Globe-Demnerat. Senator Stanford, with his land-currency

project, is running a close race with the man who introduced the alliance sub-treasury bill for the prize in financial lunacy. Two Ways of Putting It.

Sioux City Journal.

One way of putting it is that the country

hasn't money enough to do its business, Another way might be that the country has too many corporations for its money. Elimination the Picturesque. Brooklyn Standard-Union. If the farmers' alliance party succeeds in

emoving Ingalls from the senate, as it has in

beating Wade Hampton, it will have made a

brilliant beginning in the elimination of the picturesque. Different in Different Localities.

Indianapolis Journal. While northern democratic managers have come to the conclusion that they can swallow the alliance in 1892, the southern democrat regards the organization as the particular alligator whose jaws are open to take in th southern democracy.

No Tears for S. B.

New York Times. The old reprobate was himself unavailable as a Messiah, but he was as well aware as any copper-colored inhabitant of the country of the political value of a Messiah and of the extent to which a belief in Him might be worked. The announcement of his death is not calculated to arouse any other emotions ian those excited the other day by the slay og of a "rogue" elephant in Cincinnati, though no quadruped ever did so much wldely extended and long-continued mischief as Sitting Bull

CHRISTMAS CHEER.

Washington Star! Santa Claus is getting ready to go into the children's hosiery busi-

New Orleans Picavune: It is along about Christmas time that country people do murder most fowl. Chicago Inter-Ocean: One of the Indian

chiefs has a choice name for Christmas. It is "Big Turkey." Philadelphia Times: It is a rule for Christ-

mas to come only once a year, but it is a good rule to go buy. Chicago Inter-Ocean: In spite of the close noney market the Christmas snopper is mak-

ing a good showing. The holly, as a Christmas green, comes us through Christian traditions; but the mis-

tletoe is a relic of the druids. Chicago Times: The movement of the currency is now in the general direction of the stores where holiday goods are sold.

"Christmas presents Inid aside by paying a small cash installment on same," is the obliging announcement of a Philadelphia firm. Baltimore American: Job got his certifiate for patience before he was obliged to go out and buy Christmas presents for all his relatives.

America: Newlywed-I'm always worried this time of year thinking of what I shall give my wife for a Christmas present. Oldboy-Wait till you have been married as long as I have and you will know how to

Newlywed-How do you manage it? Oldboy-Well, you see, my wife is a crank on the supject of keramics and I am a bibliomaniac. It's very simple. She gives me old china and I give her rare books. She's here, and there, and everywhere,

On these gay shopping days; At every window she doth stare, Her face is drawn with woful care; She seeks a score of ways

Of buying toys for Kate and Jack-One dollar does the work of three. She sorts the grist in Santa's pack, And orders things for me, alack! All paid for C. O. D. -New York Herald.

Merry Christmas. Clothier and Furnisher: For the Politician -Many happy returns. For the Imperunious-A merry X-mas. For the Dude-Presents of mind.

For the Over-Fresh-Compliments of the For Young Lovers-A glad yule-tied.

ON A PRACTICAL WIFE. Winthrop Church in Munsey's.

I swore I loved but her alone; She'd not believe me. I swore her sorrows made me groan; She'd not believe me.
But when I made her mere a loan, Then she'd believe me

I often praised her azure eyes; She'd not believe me. I called her smiles "Italian skies;" She'd not believe me. But when I praised her home-made pies Then she'd believe me.

At last I found it best to say Mere common places every day, Although 'twould grieve me. My moral! Try your wife that way, Tis best, believe me.

A Wife Explains Her Reasons for Applying for a Divorce.

REPORT OF ADJUTANT GENERAL COLE.

His Second Annual Statement Submitted for Inspection - A Suit Against Lincoln's Millionaire-News Notes.

LINCOLN, Neb., Dec. 23.- | Special to THE BEE. |- Joseph Wurzburg, referee in the divorce case of Addie Wasson vs. Herbert C. Wasson, filed his report today. The fair ptaintiff testified that she was married in Lincoln October 12, 1887, that afterwards they went to Omaha, but on November 20 of that year Herbert described her, leaving the following unexplained note behind:

OMARIA, Neb., Nov. 20, 1887.—I got your etter; you needn't think I am going to live There is a suspicion that John L. Sullivan is demanded as an Irish parliamentary candiwith you any more. You might as well understand that I have left you for good and make your arrangements accordingly. know well enough it would be no use to try to live together after what has happened. HERRERT C. Wasson.

The plaintiff testified that she was twentyfive years old and that after her husband left her she was compelled to earn her own living and had never heard from her husband since he departed. Her father, G. W. Upshaw, was present at the wedding, and testified that after his daughter had been married a short time he received a telegram announceing that she was coming home. He said that she was heart broken and the most disconsolate woman he had ever seen. The court confirmed the referee's report and gave her a divorce, Herbert falling to show up. THE STATE MILITIA.

Adjutant General Cole has submitted his second biennial report to the governor, and among the interesting facts noted are the fol-

The national guard of Nebraska comprises two regiments of ten companies each of in-fantry, one four gun battery of artiflery and one troop of cavalry. The only independent company that has belonged to the state guard was the Edward Creighton guards of administration for the assassination of Sit-Omaha, which asked to be mustered out be-cause the legislature failed to make proper appropriations for their equipment. The request was granted and the company was mustered out August 24, 1889,

The quarterly returns show that there are now 100 officers in the service, including the governor's staff, which consists of fourteen men. The enlisted men number 1,028. There is but one brigade and it is com-

manded by Brigadier General L. W. Colby. The two regiments of the brigade are com-manded by Colonel John P. Bratt of Bennett and Colonel C. J. Bills of Fairbury.

The uniforms furnished the guards in August, 1887, are becoming almost unfit for use. The guards at the present time are without overcoats, blankets, knapsacks, haversacks or canteens, all of which are necessary, and more particularly in case they were called into service. The infantry companies are armed with the Springfield rifle, 45-calibre,

Troop A, cavalry, is armed with sabers only. Battery A with four three-inch rifle field guns and caissons. The adjutant general recommends that the militia be better equipped instead of organizing other companies.
The 352 rifles which have been stored in the

state house have been shipped to the towns bordering on the Indian reservation where the present trouble exists and are distributed among the following places: Rushville, Harrison, Gordon, Valentine, Cody, Masser, Merriam, Clinton, Bassett, Pekin, Springview, Albany, Tizer and Amsworth.

The following appropriations are recom-

mended for the next two years: Express, freight, telegraph and tele-Furniture Support of National guard ...

LINCOLN'S MILLIONAIRE SUED. Thomas Downey brings suit in the county court against John Fitzgerald & Co. to re cover \$500. He says that in January, 1889, while defendants were building a railroad in ichiyan, known as the Cl Michigan, he entered into a contract to board the laborers, Fitzgerald to deduct the board from the men's wages monthly. Downey says defendant did so, but didn't pay him. He brings another suit for \$700, for boarding men who worked on the Orleans branch in Nebraska in 1887, under a similar contract.

SUPREME COURT. The following opinions were handed down in the supreme court today: McLeod vs. Genius: appeal from Douglas county. Decree modified.

1. Held, that a provision in a building con-

tract, that "No new work of any description done on the premises, nor work of any kind whatever, shall be considered as extras. less a separate estimate in writing for the same before it is commenced, shall have been submitted by the contractor to the superin tendent and proprietor and their signatures obtained thereto," may be subsequently

waived by the parties by parol.

2. The owner of a building is liable for work and materials furnished by the contractor in its construction not called for by the original written contract, where the owner or his authorized agent by a subse quent oral agreement promised to pay there-for, or knew that the contractor would charge for the same as extras and assented thereto or permitted the same without objection. 3. Where a contractor omits to furnish ma

terials called for by the contract he is liable therefore in damages to the owner. 4. A building contract provided for the completion of the buildings by a specified date, "provided there be no interference from labor strikes." It was held that the fact that the mechanics quit work on the building on account of the contractor failing to pay em their wages as agreed did no the contractor from completing the building by the time agreed upon.
5. Held that the judgment to the extent of \$716.62 is unsupported by the evidence.

Dixon county vs Davis, Guntt & Keatley, Error from Dixon county. Affirmed, Opinion by Mr. Justice Maxwell. Norton vs Pilger. Error from Madison county. Reversed and remanded. Opinion by Mr. Chief Justice Cobb.
Pegory vs. Krantz. Appeal from Madison county. Opinion by Justice Norval.

Jacobs vs State. Error from Dundy county. Opinion per curiam.

Nunn vs Home Insurance company. Error ward county. Affirmed. by Chief Justice Cobb.

State ex rel Post vs Benton. Mandamus. Opinion by Chief Justice Cobb. Under the act of March 29, 1889, requiring banks, corporations, firms and individuals transacting a banking business to report their resources and liabilities to the auditor of public accounts, and providing for their yearly examination, the fees of bank examiners, appointed by the board of state officers under the act, are to be strictly in conformity to section 8 of the act, and any resolution or order of the board of state officers prescribing any other rule or rate of compensation is

without authority and void. Fitzgerald vs Brewster, Error from Lan-caster county. Opinion by Chief Justice Ciaus vs Hardy, Error from Lancaster county. Affirmed. Opinion by Chief Justice

Wullenwaber vs Dunigan. Appeal from Seward county, Affirmed, Opinion by Jus-tice Maxwell, Warren vs Brown. Appeal from Jefferson

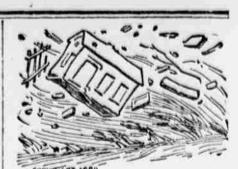
county. Affirmed. Opinion by Justice Max-Robinson vs Jones. Appeal from Douglas county. Reversed and dismissed. Opinion by

BATES WILL BE SEATED.

It is reported that the supreme court has

Justice Norval.

carefully considered the mandamus case of Judge-elect Bates of the Sixth judicial dis-trict and has decided that his case is a just one, and the mandamus asked for will be granted. In other words, the votes cast for Bates will be counted by the canvassing board, even though the governor in his call for an election last fall failed to include the specific notice of the vacancy in the Sixth judicial district and a call for an election to fill the same. Judge Smith, therefore, will not succeed himself. The opinion of the judges in regard to the same will not be handed down for a number of days.



A building up of the entire system follows the use of Dr. Pierce's Favorite Prescription. It's an invigorating, restorative tonic, soothing cordial and bracing nervine - and a certain remedy for all the functional derangements, painful disorders or chronic weaknesses peculiar to women. It improves digestion, eniches the blood, dispe s aches and pains, melancholy and nervousness, brings refreshing sleep, and restores flesh and strength. For periodical pains, internal inflammation and ulceration, leucorrhea and kindred ailments, it is a positive specific-a guaranteed one. If it fails to give satisfaction, in any case, the money paid for it is refunded. No other medicine for women is sold on these terms. With an ordinary medicine, it can't be done.

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Mr. Staniey cannot possibly accept a banquet on the evening of the fecture.

NOTICE -All parties receiving an invitation to the reception and banquet at the Millard Hotel, can get sents on the stage at the Grand Opera House, and meet Mr. Stanley after the lecture. We will tender Mr. Stanley an informal reception. Tickets on sale at the box office.

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